Recommendation Report for Listed Building Consent for Alterations, Extension or Demolitior

REF NO: **LU/204/13/L**

LOCATION: The New Inn
5 Norfolk Road
Littlehampton

PROPOSAL: Application for Listed Building Consent for demolition of derelict and dangerous outbuilding

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal involves the removal of a two-storey structure which is connected to the main building.
SITE AREA	Approximately 350 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint and brick walling ranging from approximately 2 metres to 2.5 metres in height.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed two-storey building which is used as a Public House. Elevation walls comprise a mixture of painted render finishing as well as painted brick and flint work. The building subject of this application has flint elevation walls with brick quoins and window dressings. The original roof has been removed and replaced with metal sheeting.
CHARACTER OF LOCALITY	The site is located within the Littlehampton Seafront Conservation Area which is characterised by terraces of two and three-storey buildings, the majority of which are in residential use although there is a parade of shops towards the southern end of Norfolk Road.Buildings are densely arranged and generally face directly onto the pavement.

RELEVANT SITE HISTORY

LU/8/08/	External rendering to existing outbuilding	Refused 01-04-2008
LU/264/09/L	Application for Listed Building Consent for demolition of outbuilding	Refused 25-11-2009

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

6 letters of objection (including two from same author): The building has been neglected over many years and its condition has deteriorated. It seems this will eventually result in the building becoming so unsafe that it will be demolished as a safety hazard. The cleared space may be used as a beer garden in order to maintain peaceful leisure time for occupants of adjacent building. A restrictive covenant should be imposed to control the use of the space. This may well be one of the oldest buildings in the local area and has a great deal of interesting ingrained history attached. The building needs refurbishing and returning to public use. Removal will cause noise nuisance at weekends due to bands playing. The walls consist mainly of flint with comparatively little brick, few structures of this nature are left in town. The current corrugated roof is in place without gutters or sensible drainage arrangements and the top of the flint wall is beginning to decay. The walls are predominantly sound and fit for purpose. An example of the lack of care is the presence of vegetative growth. The building acts as a noise buffer.

Comments on Representations received:

Noted. The use of the land following demolition is not a material consideration within this application which is for consent to demolish the building only. Potential future use can have no bearing on the decision taken for an application of this kind. It is agreed that the building is currently in a condition where restoration is a feasible option.

CONSULTATIONS

Conservation Officer
The Ancient Monuments Society
Council for British Acheology
The Georgian Group
Soc. Protect. Ancient Buldgs
The Victorian Society
English Heritage
Engineers (structural)
Listed Building Officer

Consultations responses received:

LISTED BUILDING OFFICER:

The subject building appears to be a significant feature of The New Inn to the rear and retains both character and interest as part of the historic group. It is linked to the public house via smaller buildings, also of interest and as far as it can be read as an 'outbuilding', contributes to the setting.

As such its loss requires serious consideration and more substantial qualifying information than is presented here. Para 132 of the NPPF states that: 'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

In the Heritage Statement a fuller understanding of the building's history and development in relation to the public house is needed, as well as a more thorough structural assessment. It is

not enough to simply state that the building 'does not benefit from the architectural detailing seen...on the main road.' This does not provide an understanding of the building's origins or historic function and therefore the impact of the loss on significance.

'The Schedule of Structural Condition' is reasonably thorough in describing condition, where access was gained, however the majority of these appear relatively superficial and common in building restoration. There is no detailed evidence suggesting why these cannot be repaired and rebuilt in the areas that require it. Total removal of an historic structure also requires a far more thorough structural qualification to explain the need for demolition. This should include a thorough assessment of the building's integrity with associated calculations as well as an explanation of why retention is not feasible.

As this is not evident here and for the other reasons above, the proposal cannot be supported.

ENGLISH HERITAGE:

The store, while of a lower order of significance than the main building, is built in traditional local materials of coursed flint cobbles and brick dressings. Would urge the Local Authority to consider options that would allow for the retention of this small store, which is likely to have been used in conjunction with the public house historically and which appears, from photographs, to include some interesting details, for example English bond brickwork and a horizontal sliding sash window. A Conservation accredited engineer will be able to advise on whether repairs are possible, and on the least intrusive method of repair.

If minded to approve the application, we recommend that appropriate conditions are imposed to control the method of demolition and the making good of retained fabric to ensure that no damage is caused to the principal Listed Building. It may also be desirable to require an appropriate level of recording of the lost structure as a permanent record of changes to the building.

We urge you to address the above issues and recommend that this application be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.

ANCIENT MONUMENTS SOCIETY:

The building is described as an outbuilding but photographs show a substantial building that appears to have been built for another use. The Design and Access statement dates the building to the mid-19th Century. We would welcome more information on its history and development and how it relates to the New Inn. Photograph's supplied are difficult to piece together. It is not true to say the building is not Listed, it is by being within the curilage of the Grade II Listed New Inn.

CONSERVATION AREA ADVISORY COMMITTEE:

Objection: Suggest structural engineers report, with a view to saving the structure.

Comments on Consultation responses:

Noted. It is agreed that the building subject of this application is a Grade II Listed structure by virtue of its location within the curtilage of a Grade II Listed Building and also due to the fact that it is connected to the main building.

POLICY CONTEXT

Grade II Listed Building

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
Where the building is located in a Conservation Area, Section 71(1) of the Act states:
In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The proposed works will result in the loss of a building that is of a distinctive appearance and represents a valuable historic and cultural asset within Littlehampton.

Whilst it is accepted that the building is in a dilapidated condition it is noted that it is being used for storage at the current time and that, whilst the walls are damaged in places and have been exposed to overgrowth, it is not considered that the damage is to an extent that would warrant the demolition of this Grade II Listed structure.

It is therefore recommended that Listed Building consent for the demolition is refused for the following reason.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (insert number and description), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal it has been determined that its refusal would result in a neutral impact upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

REFUSE

1 The demolition of the building would result in the loss of an important and historic asset and it has not been satisfactorily demonstrated that this is an appropriate alternative to repair and restoration. The proposed demolition therefore conflicts with the aims and objectives of the National Planning Policy Framework (NPPF), aprticularly para. 132 which instructs that 'significance (of heritage assets) can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.